IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.13384 of 2008
INDU DEVI @ ANITA PATHAK
Versus
STATE OF BIHAR
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2 01-5-2008 Heard learned counsel for the petitioner, learned APP and learned counsel for the informant.

The petitioner is an accused in a case u/ss 367, 368, 384, 380/34 of the Indian Penal Code.

The complainant Prabhakar Tiwary on 20.11.07 filed complaint case no. 1159 C/2007 against the petitioner and six others for an occurrence which had started from the evening of 16.11.07. The main allegation is that petitioner kidnapped the informant's wife and son.

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Learned counsel submitted that informant without making payment of any consideration money fraudulently executed sale deed of petitioner's land in favour of his father-in-law, Suryadeo Tiwary. In this connection he referred to the power of attorney dated 4.9.07 which is annexure-5 to the application. He further submitted that informant's wife herself accompanied the petitioner to Lohardagga with her son and at Ranchi railway station she started raising *hulla* that she has been kidnapped. The government railway police came and took the petitioner and her sister Savitri Devi into custody. He submitted that on account of land dispute the petitioner has been falsely implicated in this case. He pointed out that petitioner being a lady is in custody since 23.11.07.

Learned counsel for the informant vehemently opposed the

bail and submitted that petitioner kidnapped the wife of informant and his son. There is their statement to that effect. He further submitted that there is land dispute between the parties.

In the facts and circumstances of the case, the petitioner, namely, Indu Devi @ Anita Pathak is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur in Danapur PS case no. 590/2007.

BKS/ **(M. Saran, J.)**

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